

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

JAVIER MONTEZ CABRERA,

Petitioner,

v.

DEPARTMENT OF HOMELAND
SECURITY,

Respondent.

ORDER

Case No. 24-cv-713-wmc

Petitioner Javier Montez Cabrera seeks a writ of habeas corpus pursuant to 28 U.S.C. § 2241. Petitioner has submitted a motion for leave to proceed without prepayment of the filing fee. (Dkt. # 2). The court cannot consider this motion, however, because it lacks supporting documentation regarding petitioner's eligibility for indigent status. For this case to move forward, petitioner must either pay the \$5 filing fee or submit a certified inmate trust fund account statement (or institutional equivalent) for the six-month period immediately preceding the filing of this habeas corpus petition. If petitioner does not submit either the \$5 filing fee or a trust fund account statement before November 14, 2024, the court will assume that petitioner wishes to withdraw this action voluntarily and will dismiss the petition.

ORDER

IT IS ORDERED that:

1. The motion for leave to proceed without prepayment of the filing fee (Dkt. # 2) is DENIED at this time.
2. No later than November 14, 2024, petitioner Javier Montez Cabrera shall pay the \$5 filing fee or submit a certified copy of petitioner's inmate trust fund account statement

for the six-month period from the date of the habeas petition (April 15, 2024 through at least October 15, 2024).

3. If petitioner fails to pay the \$5 filing fee, comply as directed, or show cause for failure to do so, the court will assume the petitioner wishes to withdraw this petition.

Entered this 16th day of October, 2024.

BY THE COURT:

/s/
ANDREW R. WISEMAN
United States Magistrate Judge